

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

San Francisco Division

KORVEL SUTTON and RODERICK  
WILLIAMS,

No. C 11-03911 LB

Plaintiffs,

**ORDER REGARDING DISMISSAL OF  
CLAIMS AND CLOSING CASE**

v.

APPLE COMPUTERS ITUNES, RAMS  
HORN BV, DONALD B. MACMILLAN, and  
JIM CALLON,

Defendants.

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In its July 17, 2012 order, the court made clear that, as of that date, only Plaintiffs' claims against Mr. Callon, and Rams Horn BV's claims against Mr. MacMillan were still live. 7/17/2012 Order, ECF No. 123. On July 25, 2012, Plaintiffs agreed to dismiss with prejudice their claims against Mr. Callon. 7/25/2012 Minute Order, ECF No. 124.<sup>1</sup> Then, on August 21, 2012, Rams Horn BV and Mr. MacMillan informed the court that they had reached an agreement on Rams Horn BV's claims. Stipulation, ECF No. 127. Finally, on October 23, 2012, Rams Horn BV filed a request for an order dismissing with prejudice its claim against Mr. MacMillan. Request, ECF No. 129.

Pursuant to Federal Rule of Civil Procedure 41(a)(2), the court **DISMISSES WITH PREJUDICE** Rams Horn BV's claim against Mr. MacMillan. This means that there are no

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<sup>1</sup> To the extent that Plaintiffs' also had live claims against Donald MacMillan, Macola Records, and Electro Eternal, Plaintiffs also agreed to dismiss with prejudice those claims, too. 7/25/2012 Order, ECF No. 124.

1 remaining live claims in this action. Accordingly, the October 25, 2012 Further Case Management  
2 Conference is **VACATED**, and the Clerk of the Court shall close the file.

3 **IT IS SO ORDERED.**

4 Dated: October 23, 2012

  
LAUREL BEELER  
United States Magistrate Judge